

DAVID W. PENNYWITT.

MAY 25, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. HENRY, of Connecticut, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 726.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 726) granting an increase of pension to David W. Pennywitt, have examined the same and the evidence relating thereto and respectfully report:

This bill as amended proposes to increase from \$12 to \$24 the pension of David W. Pennywitt, of Manchester, Ohio, who served as a private in Company I, Thirty-ninth Ohio Volunteer Infantry, from July 4, 1861, to August 12, 1864.

He filed a claim under the general law based on malarial fever, chronic diarrhea, constipation, piles, disease of liver, stomach, and resulting rheumatism. This claim was rejected December 2, 1892, on the ground of no disability from chronic diarrhea and malarial poisoning, and rheumatism alleged as a result not so accepted.

January 7, 1895, he filed a claim under the act of June 27, 1890. He established that claim and was pensioned at \$12 per month from date of filing, for paralysis. The certificate of examination made at Natchez, Miss., October 19, 1888, rates him one-eighth for piles and diarrhea and one-eighth for malarial poisoning.

At Maysville, Ky., September 23, 1891, he was rated eight-eighteenths for rheumatism and results.

At West Vernon, Ohio, March 25, 1893, he was rated four-eighteenths for chronic diarrhea and disease of rectum, and eight-eighteenths for rheumatism. The legal approval of the claim under the general law November 26, 1892, contained the following language: "Rheumatism alleged as a result and found on examination and in evidence since discharge, referred to the medical referee." That was a legal acceptance of rheumatism as having existed continuously since discharge.

At an examination at West Union, Ohio, March 27, 1895, had in the claim under the act of June 27, 1890, he was found to be totally disabled by general paralysis, together with disease of heart, and to require the frequent and periodical attention of another person.

Evidence filed with this committee corroborates the finding of the board as to his physical condition, and is to the effect that his mental condition is such that he does not take proper care of his person, sometimes having involuntary and apparently unconscious discharges.

Your committee is of the opinion that this soldier should receive a pension of \$24 per month in view of his present condition, the case being exceptional and meritorious.

The passage of the bill is recommended when amended as follows:

In line 4 strike out "increase the pension" and insert in lieu thereof the words "place on the pension roll, subject to the provisions and limitations of the pension laws, the name."

In line 6 strike out "from twelve dollars per month to thirty."

At the end of line 7 add the following: "in lieu of the pension he now receives."

Amend the title so it will read: "A bill granting an increase of pension to David W. Pennywitt."

STATE OF OHIO, *County of Adams, ss:*

In the matter of pension claim of David W. Pennywitt, late of Company I, Thirty-ninth Regiment Ohio Volunteer Infantry. Certificate No. 893940.

On this 6th day of May, 1898, personally appeared before me, the undersigned authority, duly authorized to administer oaths, Dr. W. R. S. Connell, aged 48 years, a physician well known to me to be reputable and entitled to credit, and who, being sworn, says in relation to aforesaid case:

Affiant is personally acquainted with David W. Pennywitt, and has had good facilities for observing and knowing his physical and mental condition. During the past several years his mental faculties have been and now are impaired to an extent that entirely incapacitates him for managing properly ordinary business affairs. His physical condition, also, is much affected by reason of paralysis. It is affiant's belief that he should have the care of an attendant.

His post-office address is Manchester, Ohio, and that he is not concerned in the prosecution of this case.

W. R. S. CONNELL, M. D.

Sworn to and subscribed before me the day and year first herein written, and I certify that affiant acquainted himself with the contents of this affidavit before signing, and that I have no interest in this matter whatever.

[SEAL.]

(Certificate on file.)

STEPHEN J. LAWWILL,

Notary Public, Adams County, Ohio.

STATE OF OHIO, *County of Adams, ss:*

In the matter of pension claim of David W. Pennywitt, late of Company I, Thirty-ninth Regiment Ohio Volunteer Infantry. Certificate No. 893940.

On this 6th day of May, 1898, personally appeared before me, the undersigned authority, duly authorized to administer oaths, A. J. McIntire, aged 50 years, a gentleman well known to me to be reputable and entitled to credit, and who, being sworn, says in relation to aforesaid case:

My residence is Manchester, Ohio. I have known the above claimant, David W. Pennywitt, for twenty-one years. For the past few years he has been totally incapacitated for performing any kind of physical or mental labor. He frequently requires the attention of an attendant. He is so badly affected with paralysis that he can scarcely walk, and sometimes falls on the street and has to be helped up. He seems to be gradually getting worse.

His post-office address is Manchester, Adams County, Ohio, and that he is not concerned in the prosecution of this case.

A. J. MCINTIRE, Merchant.

Sworn to and subscribed before me the day and year first herein written, and I certify that affiant acquainted himself with the contents of this affidavit before signing, and that I have no interest in this matter whatever.

[SEAL.]

(Certificate on file.)

STEPHEN J. LAWWILL,

Notary Public, Adams County, Ohio.

STATE OF OHIO, *County of Adams, ss:*

In the matter of pension claim of David W. Pennywitt, late of Company I, Thirty-ninth Regiment Ohio Volunteer Infantry. Certificate No. 893940.

On this 6th day of May, 1898, personally appeared before me, the undersigned authority, duly authorized to administer oaths, D. J. Stableton, druggist, aged 47 years, a gentleman well known to me to be reputable and entitled to credit, and who, being sworn, says in relation to aforesaid case:

My residence is Manchester, Adams County, Ohio. I have been acquainted with the claimant, David W. Pennywitt, from my boyhood. For some years he has been totally incapacitated from performing either physical or mental labor. At times he requires the attention that is necessary for a small child. Many times it seems that it is with great difficulty that he recognizes his most intimate acquaintances. From his appearance he seems to be getting worse.

His post-office address is Manchester, Adams County, Ohio, and that he is not concerned in the prosecution of this case.

D. J. STABLETON, *Druggist.*

Sworn to and subscribed before me the day and year first herein written; and I certify that affiant acquainted himself with the contents of this affidavit before signing, and that I have no interest in this matter whatever.

[SEAL.]

STEPHEN J. LAWWILL,
Notary Public, Adams County, Ohio.

(Certificate on file.)

STATE OF OHIO, *County of Adams, ss:*

In the matter of pension claim of David W. Pennywitt, of Company I, Thirty-ninth Regiment Ohio Volunteer Infantry. Certificate No. 893940.

On this 6th day of May, 1898, personally appeared before me, the undersigned authority, duly authorized to administer oaths, Dr. R. A. Stephenson, aged 54 years, a physician well known to me to be reputable and entitled to credit, and who, being sworn, says in relation to aforesaid case:

I have known David W. Pennywitt for twenty-five years, and for the past five years he has been a physical wreck. He suffered from a stroke of paralysis over five years ago from which he has only partially recovered. The said David W. Pennywitt is mentally incapacitated from transacting business of any kind and physically incapacitated from performing manual labor of any kind. Affiant would regard the case as one requiring the constant care of an attendant. He is now an imbecile and not capable of even caring for himself in any way; indifferent to calls of nature, seemingly unconscious of what has occurred. Affiant is of opinion that the case should be thoroughly investigated at once and immediate action taken. The above is in affiant's own handwriting and not dictated by anyone.

His post-office address is Manchester, Adams County, Ohio, and that he is not concerned in the prosecution of this case.

R. A. STEPHENSON, M. D.

Sworn to and subscribed before me the day and year first herein written; and I certify that affiant acquainted himself with the contents of this affidavit before signing, and that I have no interest in this matter whatever.

[SEAL.]

STEPHEN J. LAWWILL,
Notary Public, Adams County, Ohio.

(Certificate on file.)

